

**CITY COUNCIL
CITY AND COUNTY OF HONOLULU
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS**

1. TO: Chief Procurement Officer
2. FROM: Council Admin Support Svcs - Clayton Wong

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
To provide the telecasting of Council proceedings (committee meetings, council meetings, and public hearings) that will air on a public access channel.

4. Name of Vendor: Access Service Corporation (ASC)
Address: 1164 Bishop Street, #124-295
Honolulu, HI 96813

5. Price:
\$41,888.89

6. Term of Contract: From: 08-07-2009 To: 09-30-2009

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable nor advantageous to the City:
The City has already conducted RFP No. CN09-01 to procure telecasting services and Olelo Community Television was selected to commence services as of July 1, 2009. A debriefing for ASC was conducted July 6, 2009. On July 13, 2009, this award was formally contested by ASC (the vendor for the past four fiscal years) via notification from the law firm of Wong, Feldman & Kim. During this protest period, there is a stay of the award pursuant to resolution of this protest (References: HAR 3-126-4 and HAR 3-126-5). Further, the least disruptive means for the continuation of telecasting is to permit ASC to do the broadcasting during the interim. Conducting another RFP or a competitive bid, for what could be a brief interim period, would not be productive use of City personnel time.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
See above.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
A review of this matter by the Council Fiscal Officer and members of the evaluation committee for RFP No. CN09-01.


REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
Todd Apo	Chair & Legislative CPO	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Administration
Nestor Garcia	Vice Chair & Eval Comm Member	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Nanette Saito	Office Mgr & Eval Comm Member	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Clayton Wong	Fiscal Officer & Eval Comm Membe	<input type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: City Council Contact Name: Clayton Wong, Fiscal Officer Phone Number: 808-768-5083 Fax Number: 808-768-5011
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*


 Department Head

July 30, 2009
 Date

Reserved for Legislative Branch Use Only

15. Date Notice Posted July 30, 2009


The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to :

Chief Procurement Officer
 c/o City Council (City and County of Honolulu)
 530 South King Street, Room 202
 Honolulu, HI 96813

Chief Procurement Officer's comments:

16.

☒ APPROVED ☐ DISAPPROVED ☐ NO ACTION REQUIRED


 Chief Procurement Officer

8/7/09
 Date